

REMARKS

Applicant appreciates the Examiner's indication of the allowability of Claims 16-18 (now renumbered as 1-3, respectively), as contained in the Examiner's Amendment and Notice of Allowance mailed on October 6, 2004.

In this RCE, Applicant is amending independent Claim 1 in only one respect. The language used to describe the "bell" end of the pipe joint has been amended to delete the term "plastic" in describing the material of the bell end of the connection. The language regarding the male or spigot pipe end being formed of "plastic" has been retained in the claim language. As rewritten, Claims 1-3 would be broader than the originally allowed claims in that the "bell" or female end of the pipe joint could be formed of plastic or of some other material such as iron.

Applicant would respectfully submit that it should be allowed claim coverage commensurate with the scope of the invention. In this case, it is the material of the male, spigot end of the coupling or joint that makes the use of Applicant's self-restrained pressure gasket necessary. The hardened teeth in the gasket would bite into and perhaps crush or scar a mating male plastic pipe, were the presently claimed features of the invention not present. These features are really irrelevant to the nature of the mating female, bell pipe end of the joint. (The teeth are not attempting to bite into the exposed surfaces of the bell end of the joint). The claimed features of the "bell end defining an end face at the opening" and further wherein "an end of the gasket body lies substantially at the end face of the opening" which distinguished the Peting (5,037,144), Sato (6,371,530) and Weber (5,464,228) references, are present in the amended claims and continue to distinguish the cited references. These were the references which the Examiner found to be the closest prior art (Examiner's Reason's For Allowance, page 3).

In addition, taking the Peting et al. reference as an example, both the female, bell end 10 of the pipe joint and the male, spigot end 12 are made of steel or iron. As a result, a different gasket and restraint mechanism could be utilized. Peting is not particularly concerned with crushing or scoring the male, spigot pipe end, since it is made of steel or iron. Applicant's claim features are critical in the claimed invention due to the nature of the mating male plastic pipe which receives the radial inward force of the gripping teeth of the device.

This response is being submitted along with the required fee for a Request For Continued Examination. No additional fee is thought to be due at this time. If any additional fee is due for the

continued prosecution of this application, please charge the same to Applicant's Deposit Account No. 50-2555 (Whitaker, Chalk, Swindle & Sawyer, LLP).

Respectfully submitted,



Date: June 6, 2005

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